

**REMARKS**

Claims 1, 2 and 5-26 are pending in this application. By this Amendment, claims 1, 15 and 25 are amended. No new matter is added. Reconsideration of the application is respectfully requested.

The courtesies extended to Applicant's representative by Examiners Nguyen and Young at the interview held February 13, 2007, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

The Office Action rejects claims 1, 2, 7, 8, 13-16, 21, 22, 24 and 25 under 35 U.S.C. §102(b) over U.S. Patent No. 5,818,808 to Takada et al. (Takada). This rejection is respectfully traversed.

Claims 1, 15 and 25 each recite that the second power level  $P_l$  is smaller than the third power level  $P_m$  and that the second power level  $P_l$  is a crystallization level. This feature is described in the specification at, for example, paragraphs [0020] and [0044].

As discussed during the interview, Takada discloses that erasing power level  $P_e$  is the crystallization level. See col. 1, lines 51-54 of Takada. As discussed in the Remarks of the February 2, 2007 Amendment and during the interview, Takada explicitly teaches that the erasing power level  $P_e$  is greater than the bias power level  $P_b$ , which the Office Action alleges corresponds to the third power level  $P_m$  as recited in claims 1, 15 and 25. See col. 10, lines 2-4 of Takada. Therefore, as agreed to during the interview, Takada does not teach or suggest that the second power level  $P_l$  is smaller than the third power level  $P_m$ , as recited in claims 1, 15 and 25. Accordingly claims 1, 15 and 25 are patentable over Takada.

Claims 2, 7, 8, 13, 14, 16, 21, 22 and 24 are allowable at least for the dependence on their respective base claims, as well as for the additional features they recite. Therefore, withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 5, 6, 9-12, 17-20, 23 and 26 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Takada. This rejection is respectfully traversed.

As discussed above, Takada does not teach or suggest each and every feature of claims 1, 15 and 25. Therefore, claims 5, 6, 9-12, 17-20, 23 and 26 are allowable at least for their dependence on claims 1, 15 and 25, respectively, as well as for the additional features they recite. Withdrawal of this rejection is thus respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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